

STATEMENT OF CONSIDERATION RELATING TO
401 KAR 8:150 Not amended after comments

Energy and Environment Cabinet
Department for Environmental Protection
Division of Water

I The public hearing on 401 KAR 8:020, 8:070, 8:150, 8:200, 8:250, 8:300, 8:510, and 8:550, scheduled for April 26, 2010, at 5:00 p.m. at 300 Fair Oaks Road, was canceled; however, written comments were received during the public comment period.

II The following people submitted written comments:

<u>Name and Title</u>	<u>Affiliation</u>
Ruth Lancaster, Operator	(No affiliation)

III The following people from the promulgating administrative body responded to the written comments:

<u>Name and Title</u>	<u>Affiliation</u>
Julie Roney, Drinking Water	Division of Water
Abby Powell, Regulations Coordinator	Division of Water

IV Summary of Comments and Responses for 401 KAR 8:150

(1) Subject Matter: Disinfection of new construction projects and line extensions

(a) Comment: Ruth Lancaster

The addition of the words “water treatment plant” in Section 4(1)(e) appears to create the requirement for additional sampling or reporting not previously performed by water systems. Could the agency provide examples of ‘new construction projects, replacements, or extensions to existing systems’ performed on the premises of a water treatment facility (in other words, within the treatment plant itself or its onsite high lift pumping station) that would trigger sampling or reporting under this regulation?

(b) Response: This provision would apply to work done at water treatment plants, such as filter media replacement or clearwell work that involves potable water and dewatering of structures that require disinfection. The agency has historically required treatment plants to submit the results of bacteriological samples for this type of work, so this amendment will not alter the implementation of the Safe Drinking Water Act requirements. The

amendment simply clarifies the requirements of the agency and maintains consistency with 40 CFR 141.

V Summary of Statement of Consideration and Action Taken by Promulgating Administrative Body

The public hearing on these administrative regulations was canceled; however, written comments were received. The Division of Water responded to the comments and will not be amending the administrative regulation.